

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PATRICO RAMONEZ,

Petitioner,

v.

CASE NO. 05-CV-71488-DT  
HONORABLE GEORGE CARAM STEEH

MARY BERGHUIS,

Respondent.

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**ORDER ON REMAND CONDITIONALLY GRANTING**  
**PETITION FOR WRIT OF HABEAS CORPUS**

This matter is on remand from the United States Court of Appeals for the Sixth Circuit. On June 18, 2007, the Sixth Circuit reversed this Court's prior decision denying the petition for writ of habeas corpus and remanded the case with instructions to grant a conditional writ of habeas corpus giving the State of Michigan 120 days within which to provide Petitioner with a new trial or, failing that, to release him. *See Ramonez v. Berghuis*, No. 06-1852 (6<sup>th</sup> Cir. June 18, 2007). Accordingly, pursuant to the Sixth Circuit's decision, this Court **ORDERS** that the petition for writ of habeas corpus is **CONDITIONALLY GRANTED**. The State of Michigan has **120 days** from the filing date of this order to retry Petitioner or unconditionally release him from custody.

Dated: October 24, 2007

S/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
October 24, 2007, by electronic and/or ordinary mail.

S/Josephine Chaffee  
Deputy Clerk